

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**STATE OF OHIO ex rel.  
MICHAEL DeWINE,  
Plaintiff,**

**v.**

**JOHN G. BREEN, *et al.*,  
Defendants.**

**Case No. 2:16-cv-802  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson**

**ORDER**

The matter before the Court is Plaintiff State of Ohio's ("State") November 6, 2020, Motion to Lift Stay (ECF No. 178). On November 10, 2020, Defendant Trabue Dublin, LLC, ("Trabue") and Defendant Loretta Jean Mativi Dick both responded, requesting that this Court order the parties to participate in judicial mediation before lifting the stay. (ECF Nos. 179, 180). The State replied on November 12, 2020, stating that it did not believe mediation would be fruitful and requesting that the Court decline to order mediation. Trabue then moved to file a sur-reply instanter and attached its proposed sur-reply thereto. (ECF No. 183). No opposition was filed, and for good cause shown the Court now **GRANTS** Trabue's Motion to for Leave to File Sur-reply Instanter. (ECF No. 183).

The Court held a telephone status conference to discuss the State's Motion to Lift Stay on December 2, 2020, at 9:00AM. The Court now **GRANTS** the State's Motion to Lift Stay. (ECF No. 178). As discussed during the conference, The Court declines to order the parties to participate in judicial mediation but expects the parties to confer over the coming week in an attempt to reach

an extrajudicial resolution. The parties shall file notice with the Court on or before December 9, 2020, and inform the Court of any change in status. The Clerk is directed to lift the stay and re-open this case.

**IT IS SO ORDERED.**

12/3/2020  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE